

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**BED-VILLAGE OAKS, LLC AND  
326 COLONIAL APARTMENT  
COMPLEX, LLC**

*Plaintiffs,*

v.

**SENECA SPECIALTY INSURANCE  
COMPANY,**

*Defendant.*

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**CIVIL ACTION NO. 3:17-CV-0553-G**

**DEFENDANT SENECA SPECIALTY INSURANCE CO.'S  
RESPONSE TO PLAINTIFF'S MOTION TO REMAND**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

This Court should deny Plaintiffs' Motion to Remand. [Doc. 10]. Plaintiffs do not dispute that the Court has diversity jurisdiction over this matter, and instead, base their arguments for remand solely on a Service of Suit clause contained in the policy Defendant Seneca Specialty Insurance Company ("Seneca") issued to Plaintiff BED-Village Oaks, LLC ("BED"). That is a procedural defect that had to be raised within thirty days of removal. Plaintiffs did not do so. Accordingly, their Motion should be denied.

Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

By: /s/ Christopher H. Avery

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**ATTORNEYS FOR  
SENECA INSURANCE COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument was served via the Court's electronic notification system on the 15th day of May to the following counsel of record:

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